

August 23, 2007

Via Facsimile No. 302-573-6445

The Honorable Mary Pat Thyng
Magistrate Judge
United States District Court of Delaware
844 N. King Street
Wilmington, Delaware 19801

***Re: James H. Gorbey, Jr., Adm. of the Estate of Marissa Rose Fishman
v. Ashland Construction Company, Inc., et al, C.A. No. 05-211*** (MPT)***

Dear Judge Thyng:

I learned today that my client, James H. Gorbey, Jr., Administrator of the Estate of Marissa Rose Fishman, has passed away. I would ask the Court to permit me time to have a successor appointed to the Estate to respond to the outstanding letter brief of the Longwill defendants seeking permission to file a Motion for Summary Judgment to Dismiss Plaintiff's Wrongful Death Claims.

Respectfully submitted,

JONATHAN M. COHEN

JMC/jmb

cc: All counsel via facsimile